

Dear PHMSA:

We are the City of Fort Collins and Poudre Fire Authority. Our membership is dedicated to working together to prepare for possible emergencies and disasters involving hazardous materials, whether they are accidental releases or result from terrorist acts.

Most critically for purposes of this comment letter, we are very familiar with how HMEP funds have been used and the importance of the HMEP program to the planning and training activities conducted by LEPCs and local first responders.

The importance of the HMEP system cannot be overstated. The NPR contains a recitation of statistics regarding first responders trained, studies conducted and plans updated. While these numbers are impressive, these statistics do not begin to explain how truly critical the HMEP program is to the preparedness of local first responders and programs of LEPCs. Absent these funds, critical planning and preparedness efforts are not likely be funded by any other source. These activities are generally being skipped by DHS funding and states have no ready source of revenue to devote to these purposes.

Today our society places an enormous burden on first responders including law, fire and EMS personnel. The training burden alone to achieve and maintain necessary competency in response procedures, incident command and other critical skills drives many people from these professions. In the case of volunteer supported agencies - 80% of fire departments in the United States are volunteer and almost every law and EMS agency in the Country is dependant upon volunteers to some degree - people are expected to take time away from work to complete courses and participate in training exercises. Turnover rates are very large. Training must be an ongoing enterprise to meet the demands of this turnover and demands for increased levels of skill and competency.

In addition, the equipment and techniques applied to hazardous materials response are changing constantly. The NFPA 472 proposed changes underscore that this field presents levels of complexity that force a near constant level of plan refinement and training. Responders and planners are always "catching up" when it comes to understanding the risks of hazardous materials in transit, training and community planning through LEPCs. HMEP funding is critical to these efforts.

Communities have the reasonable expectation that their LEPC and first responders will be able to act to protect life and property in the event of a hazardous materials incident. This capability is a cornerstone for almost every community emergency plan. Hazardous materials will be involved in simple transportation accidents and also natural disasters and perhaps even terrorist events. The training and plan improvement provided through the HMEP program is the primary method used by LEPCs and local first responders to reach this goal of protecting the public.

As this letter is being written there has been a massive hazardous materials incident in Apex, NC. The Chemical Safety Board has mobilized an inspection team. Based upon all we know, its likely that when this incident is evaluated the fact that nobody seems to have died will be directly attributable to the planning and training in that community. Planning and training which was supported by HMEP grant funding.

For all of these reasons, we fully support the proposed increase in fees. In fact, we would support an even larger increase. It is important that the

grant benefit derived from any fee increases be directly passed along to the local communities and LEPCs through increased HMEP grant funding. We believe that the proposal adequately addresses the needs of small business and takes advantage of the Internet and other burden reduction opportunities.

Sincerely:  
Mike Gavin  
Director,  
Office of Emergency Management